

UNITED STATES DISTRICT COURT
for the

Western District of North Carolina

United States of America)

v.)

JOSEPH EDWARD BROWN, JR.)

Date of Previous Judgment: 6/19/2006)

(Use Date of Last Amended Judgment if Applicable))

Case No: 5:05CR00235-006

USM No: 20543-058

David Burgess

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months **is reduced to** _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 37

Amended Offense Level: 35

Criminal History Category: VI

Criminal History Category: VI

Previous Guideline Range: Life to Life months

Amended Guideline Range: Life to Life months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☒ Other (explain): No change is recommended due to mandatory minimum sentence of life imprisonment.

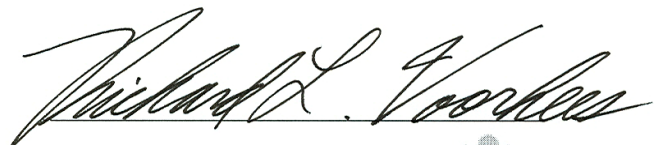
III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 6/19/2006 shall remain in effect.

IT IS SO ORDERED.

Order Date: March 4, 2010

Effective Date: March 4, 2010
(if different from order date)



Richard L. Voorhees
United States District Judge

